

SENATE RESOLUTION 276

By Southerland

A RESOLUTION relative to the Pigeon River.

WHEREAS, the Pigeon River is an invaluable natural resource to local residents and has the potential to contribute to a flourishing recreation and tourism industry; and

WHEREAS, for the past one hundred (100) years the Pigeon River has been used as an industrial sewer by the pulp and paper mill in Canton, North Carolina, derogating the water quality of the river and depriving the people, aquatic life and our national treasure, the black bear, of a natural and healthy habitat; and

WHEREAS, the Environmental Protection Agency guaranteed the people of Cocke County a funded study of the Pigeon River Basin two (2) decades ago; and

WHEREAS, progress in the clean-up of the Pigeon River has stagnated and in some cases reversed in the past decade, causing the North Carolina Division of Water Quality Control and the North Carolina Environmental Management Commission to lose the trust and confidence of the people of Cocke County; and

WHEREAS, the contested case filed by the State of Tennessee (December 13, 1996), resulting in the Settlement Agreement of 1998 between Tennessee , North Carolina, Cocke County, City of Newport, Tennessee Environmental Council, American Canoe Association and Champion International Corporation, specifies that all parties are committed to "attaining further reductions in color in the river, at the quickest possible pace"; and

WHEREAS, any progress during the current, administratively extended NPDES wastewater permit cycle has been marginal at best and made at a slow-moving pace with no significant reductions in releases of color or releases of more than one hundred ten thousand (110,000) pounds of toxic compounds into the Pigeon River; and

WHEREAS, pollution prevention technologies and best management practices are available and well-demonstrated that would result in less impact by the mill upon the Pigeon River; and

WHEREAS the residents of Cocke County have been marginalized and allowed no voice in the negotiations that determine the future of the Pigeon River and the quality of life in Cocke County; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED FIFTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, that the Environmental Protection Agency is urged to take the lead role in the Technical Work Group.

BE IT FURTHER RESOLVED, that the Environmental Protection Agency is urged to include representatives appointed by the Cocke County legislative body in the negotiations and all work of the Technical Work Group.

BE IT FURTHER RESOLVED, that within the next permit cycle North Carolina is urged to require the Canton pulp and paper mill to implement technologies that will result in a Pigeon River below the mill that is as pristine as it is above the mill.

BE IT FURTHER RESOLVED, that the North Carolina Division of Water Quality is urged to hold a water quality hearing regarding the renewal of the NPDES permit of Blue Ridge Paper Products/Evergreen in Newport, Tennessee.

BE IT FURTHER RESOLVED, that the Environmental Protection Agency is requested to revisit the forty-two feet (42') of toxic sludge in Walters Lake as a Superfund site with the financial responsibility falling to the Canton pulp and paper mill.

BE IT FURTHER RESOLVED, that we recognize Gay Webb for his tremendous insight and years of tireless work that have led to growing awareness of the plight of the Pigeon River and improved river clean-up activities. The residents of Cocke County and the Pigeon River's surrounding areas may yet enjoy an increased quality of life because of Mr. Webb's influence.

BE IT FURTHER RESOLVED, that an enrolled copy of this resolution be sent to the North Carolina Division of Water Quality, the North Carolina Environmental Management Commission, the Region IV office of the United States Environmental Protection Agency in

Atlanta, Georgia, the United States Environmental Protection Agency in Washington, D.C., and the Honorable Phil Bredesen, Governor of Tennessee.

BE IT FURTHER RESOLVED, that a copy of this resolution be prepared for presentation to Mr. Gay Webb with this final clause omitted from such copy.